

REMARKS

The Office Action of October 2, 2007, and the references cited therein have been carefully considered.

Although Applicants are of the opinion that the claims as previously presented are allowable over the references and present rejections of record, in order to advance the prosecution, each of independent claims 7-9 has been amended to even more clearly define the invention without, it is believed, changing the intended scope of the claims. More specifically, each of these claims has been amended to even more positively state that the rail itself is formed of two oppositely disposed parts at least one of which is resilient or resiliently supported. Additionally, new claims 15 and 16, dependent on claims 7 and 9 respectively, have been added to more specifically recite the actual structural features of the embodiments of Figs. 4 and 7, respectively.

The rejection of claims 7-9 under 35 U.S.C 103(a) as being unpatentable over the patent to Schwarz '553 in view of the patent to Koch '339 has been noted, is respectfully traversed, and reconsideration is respectfully requested.

The present invention, as defined in each of independent claims 7-9 is directed to a shaft frame having a novel heddle support rail as shown in Figs. 4-7. According to the embodiment of the invention shown in Fig. 4, the heddle support rail itself comprises two rail portions 7a and 7b formed as two spring legs which point away from each other in order to support a heddle in a resilient manner. Alternatively, according to the embodiment of Fig. 7, the heddle support rail 7 itself is divided into two parts 51 and 55, with the part 51 being rigidly supported on the beam 46 connected to the frame, and with the part 55 being movably mounted on the beam against the force of a compression spring 56. Both embodiments of the heddle support rail according to the Figs 4-7 of the present application, will damp impacts and shocks created by the heddles moving on the heddle rail due to sharp acceleration and deceleration during operation. None of the cited references, either alone or in any combination thereof, teach even a two part support rail as defined in each of claims 7-9, and clearly do not render obvious the novel support rail defined in these claims.

The patent to Schwarz discloses a frame having a pair of heddle support rails 17 and 19, with the rail 17 being fixedly supported on the frame while the upper rail

19 is biased in one direction by a spring 82 (Fig. 7) or a spring 83 (Fig). The rail 19 itself is absolutely stiff with no resilient parts and is a single piece construction. Thus there is no two part construction of the rail 19 itself nor any resilient part as required by each of claims 7-9.

The patent to Koch is not concerned with a frame at all, but rather is attempting to provide damping by adding a spring element 5 to the end of the heddle. In fact, this patent uses a principle that is related to the principle of Schwarz. That is, while Schwarz tightens the heddles by pulling the heddle rails 17 and 19 apart, Koch uses a spring attached to the ends of the heddles to create the tightening force. However, this patent contains no disclosure concerning a two part heddle support rail a required by each of claims 7-9. Accordingly, for the above stated reasons, it is submitted that claims 7-9 are allowable over the combination of the Schwarz and Koch patents.

Reconsideration of the rejection of claims 12-14 under 35 U.S.C. 103(a) over the patent to Schwarz in view of DE3021163 is respectfully requested. Initially, it is pointed out that these claims are dependent on claims 7-9, respectfully, and thus are allowable over the Schwarz patent for at least the same reasons as discussed above with regard to the independent claims. It is further noted that the Koch reference was not included in this ground of rejection. The German reference was cited simply to show that it is known to provide a shaft frame with at least three drive points, spaced apart in the transverse direction relative to the direction of motion from one another. However, this reference does not overcome the deficiencies of the Schwarz patent as discussed above. Accordingly, it is submitted that claims 12-14 are allowable over the cited combination of references for the same reasons as claims 7-9.

Newly presented claims 15 and 16 are dependent on claims 7 and 9, respectively, and accordingly are allowable over the cited references for at least the same reasons as the claims from which they depend. Moreover the additional limitations of these claims are nowhere found in any of the references, particularly since none of the references even discloses a two part support rail.

For the above stated reasons, it is submitted that all of the pending claims, i.e., claims 7-9 and 12-16, are allowable over the prior art of record and are in

condition for allowance. Such action and the passing of this application to issue therefore are respectfully requested.

If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, then the Examiner is invited to telephone undersigned counsel to arrange for such an interview.

Respectfully submitted,

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